

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SCOTT BOEHM and DAVID STLUKA,

Plaintiffs,

v.

GETTY IMAGES (US), INC., *et al.*,

Defendants.

ORDER

15-cv-379-jdp

Defendant John George, a former Getty account manager, filed a third-party complaint against Getty Images (US), Inc. Getty under Federal Rule of Civil Procedure 14(a)(1). Dkt. 255. Once Getty appeared in the case, plaintiffs filed their own complaint against Getty alleging additional claims. Dkt. 351. Plaintiffs' complaint is permissible under Rule 14(a)(3), but claims against Getty and George are distinct from the claims involving the other original defendants.

Plaintiffs' claims against Getty and George allege that they inappropriately delivered copies of plaintiffs' photographs to the other defendants. Plaintiffs' claims against the other defendants allege that they infringed plaintiffs' copyrights by selling unauthorized reproductions of their photographs. Getty's late entry into the case jeopardizes the schedule. Rule 21 authorizes the court to add or drop parties or to sever any claim against any party. To keep the main case on track, I will sever the Getty-related parties and claims from the main infringement case.

Accordingly, IT IS ORDERED that plaintiffs' claims against defendant John George and against third-party defendant Getty Images (US), Inc. are severed from this case. Plaintiffs are directed to file a new complaint against Getty and George, opening a new case

by April 11, 2016. George may then file his cross claims against Getty in that case. That case will then get its own schedule and the main case will continue on course.

Entered April 4, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge